

IN THE 7th JUDICIAL DISTRICT
DISTRICT COURT OF Wyandotte COUNTY, KANSAS

Ron and Janice Witt)
)
)
Plaintiffs,)
)
v)
)
The Board of Public Utilities,)
The Unified Government)
of Wyandotte County/KCK)
Doug Bach, Mayor Dave Alvey)
The UG Commissioners:)
Melissa Bynum, Tom)
Burroughs, Gall Townsend,)
Ann Murguia, Angela Markley,)
Harold Johnson, Mike Kane,)
Jim Walters, Jane Philbrook,)
Michael Callahan, Terri Ziegler)

Defendants.

COMPLAINT AND Demand for relief from
Theft of housing and abuse of prestige and power.

This is a DEMAND for Immediate Remedy From Manifest Injustice to the people of KCK. We are asking that ALL new contracts stop until they are reviewed by the district attorney or independent outside counsel to insure benefit to the community. We are asking for reimbursement and repayment for all UG Funds, bills paid, inclusive of but not limited to ALL property taxes, insurance, BPU, PILOT, upkeep, appliance costs of everything including interest and a Review and outside independent audit of the Unification Plan. We are requesting an investigation and Audit of ALL lease agreements in the UG for all property/facilities/ housing vendors, businesses, UG Employees or affiliates, private businesses, charity or anyone who in any way have association with the UG its employees or ANYTHING in anyway affiliated with our municipal governance to include but not limited to BPU and outside agents and for profit businesses. Lease agreements written and verbal, use agreements written or verbal or any kind of agreement for use of Municipal/County or affiliate properties. I am asking that the AG investigate what we believe is a Conspiracy in WYCO by Doug Bach and Mayor Alvey among others to breaking the Unified Government SOP and Employee Manual, defrauding the people and misusing city funds and property. They are colluding to hide and conspiring to keep covered and create records to steal from this community. We ask that all proactive signing of documents cease immediately.

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2018 NOV 28 PM 4:02
CLERK OF DISTRICT COURT
WYANDOTTE COUNTY KANSAS
DEPUTY
Case No.
2018 CV 948

We formally DEMAND that the UG provide EQUALITY AND EQUITY OF ACCESS to public funds, benefits, properties and utilities, home insurance and upkeep, Home Repair, Taxes, a listing of ALL BPU clients who are receiving reduced or Free utilities to include all municipal, personal and business customers and credits offered or given by BPU, BPU rating reports and history, PILOT, mileage and cleaning credits, every benefit per the contract issued by Doug Bach, Ken Moore to Terri Ziegler and accepted by Mayor Dave Alvey for the occupancy of Lake House 1. We are demanding that "We The People of WYCO", be given access to this same "SWEET DEAL". That has been afforded to repair "dilapidated homes" in the area and return them to a livable condition to benefit our community and end blight, via the "Win Win" privilege afforded to Terri Ziegler.

We believe that by excluding this property, "Lake House 1" from the proper and complete guidelines for the Code of Ethics, Federal, State and local fair housing laws for repair, restoration and rental to members of the community-that the UG has discouraged protected class members from applying for a rental unit or making an effort to repair, live and flourish in the lake house, comparable properties or their own homes at taxpayer expense, in their own community and yet the same benefit was afforded to the Chief of Police COVERTLY through cronyism and quid-pro-quo favoritism. Several years ago the community asked specifically to do this same thing to "dilapidated", blighted homes in the North East and community wide by using monies that were set aside by the city to demolish a property (10k), to repair said "dilapidated", blighted property and return it to the market or needy members of the community. The UG denied the community this ability and demolished repairable homes, yet they allowed this property to be held to a different standard on behalf of the Chief of Police the close friend of the City Manager. That is bias, misuse of funds and favoritism.

Impediments to fair housing choice may be acts that violate a law or acts or conditions that do not violate a law, but preclude people with varying incomes from having equal access to decent, safe, and affordable housing. Fair housing choice is defined, generally, as the ability of people with similar incomes to have similar access to affordable housing. Our community was DENIED access to this opportunity and opportunities like it. Terri Ziegler makes over 150,000.00 per year compared to the average community member making less than 20,000.00 leaving the impoverished to pay the bills and benefits of the wealthy without the ability to be housed fairly in a "dilapidated old house". That we didn't have enough money to fix the house, but we paid the friend and his Mother, of our County Administrator/City Manager over \$13,000.00 and free boarding, free gas, mileage and wear and tear... to do exactly that with no oversight or consideration. We request that two independent appraisers or realtors with no ties to the UG be brought in to estimate what fair rental and value of Lake House 1 3450 East Drive, should be is. We are requesting proof of the condition and receipts for all repairs and photos of the house.

Further, what effect does this action have on the Labor Agreements in our community. The UG put men out of work who are trained and capable of making these repairs as a

union member, yet paid a union wage to a non-union individual and his 75 year old Mother. I am curious how this could happen without any union concern. I smell corruption, is this an attempt to break the Union? or break the community?

When a society is stratified into poles of advantage and disadvantage, with the inevitable consequences of privilege and exclusion, the promise of equal access to the discourse is necessary, or democratic participation rings hollow, to every ear that is NOT corrupt. Fair access, then, may take on a different meaning in each citizen, but its essence remains the interpretation of "fairness" as equal access and opportunity. *Correspondingly, access to channels of communication and sources of information that is made available on even terms to all...a level playing field...is derived from the concept of fairness as uniform distribution, where everyone is entitled to the same level of access and can avail themselves if they so choose.*

Today, WE SO CHOOSE.

When some are excluded or lack the knowledge, income, equipment, or training necessary to participate fully in public discourse, they must overcome obstacles to access in order to ensure fairness. Fairness also demands remedies to redress historic injustices that have prevented or diminished access in the first place: for, just as there can be no fairness without equality, there can be none without justice. In order to maximize opportunities for access experienced by certain groups, a good society commits resources in order to level the playing field. NOT EMBEZZLE from said community or create a vacuum for corruption:

Embezzlement and theft involve someone with access to funds or assets illegally taking control of them. Fraud involves using deception to convince the owner of funds or assets to give them up to an unauthorized party. Influence peddling is the illegal practice of using one's influence in government or connections with persons in authority to obtain favors or preferential treatment for another, usually in return for payment.

Abuse of discretion refers to the misuse of one's powers and decision-making facilities.

Cronyism is the practice of partiality in awarding jobs and other advantages to friends, family relatives or "trusted colleagues" To Quote Mr. Bach, especially in politics and between politicians and supportive organizations. For instance, this includes appointing "cronies" to positions of authority, regardless of their qualifications. Cronyism exists when the appointer and the beneficiary such as an appointee are in social or business contact. Often, the appointer needs support in his or her own proposal, job or position of authority, and for this reason the appointer appoints individuals who will not try to weaken his or her proposals, vote against issues, or express views contrary to those of the appointer.

Clientelism is the exchange of goods and services for political support, often involving an implicit or explicit quid-pro-quo. Clientelism involves an asymmetric relationship between individual people or groups of political actors described as *patrons*,

PARTNERS, brokers, and clients. Clientelism is a set of actions based on the principle *take there, give here* or, to quote Doug Bach this is a "WIN WIN", ...for Whom? is the question, it is certainly NOT to benefit the people of WYCO ... the practice allowing both clients and patrons to gain advantage from the other's support. The win is NOT for the people of this community. Take the emphasis off the police chief position, I love our police officers, but corrupt behavior DEMANDS JUSTICE. If it were any other person other than the Chief of police this special arrangement would be EMBEZZLEMENT and the actions used to cover it would be FRAUD on a federal level. Look beyond the title and focus on the special arrangement Bach made with a personal friend to create a "Win Win" that benefits him, manipulating votes for favors and loyalty dividing a community based on fealty. Think about those terms.

Collusion is a secret agreement between two or more parties to limit open competition by deceiving, misleading, or defrauding others of their legal rights, or to obtain an objective forbidden by law typically by defrauding or gaining an unfair market advantage. It is an agreement among firms or individuals to divide a market, set prices, limit production or limit opportunities. It is in fact an effort to above and beyond serving the community to "PROTECT THE PARTNERSHIP" at all costs regardless of public benefit and can involve "unions, wage fixing, kickbacks, or misrepresenting the independence of the relationship between the colluding parties", for example The Merc being put in on Strawberry Hill to benefit the KU Campus yet being proposed to benefit the NorthEast and provide groceries to a food dessert when there is already access to two within 3-5 minutes from the current location. The build in being 100% funded by WYCO Tax Dollars and guaranteed to fail and provide millions to the participants when it does.

The people of WYCO are suffering at the hand of a CONFIDENT Syndicate that is our leadership. Corruption is designed into the very tapestry of our community and even uncovered, the perpetrators are so confident of their ability to demand allegiance that they admit their wrong doing without any expectation of recourse from our community, law enforcement or media.

My name is Janice Witt. I initially requested the information on the property called Lake House 1 in which the Chief of Police resides FULLY at taxpayer expense. I initially asked about the property in June and was told that I had to file a KORA request, which I did on July 16th, 2018. I *specifically* asked about this agreement and/or contract for said property. I was charged \$144.00 for incomplete information then denied the information completely and directly, by Ken Moore. The information that was released was delayed and/or denied until the media demanded and payed AGAIN to get the same information. I am a taxpaying citizen of WYCO and I have YET to receive public information dully requested under rights granted by KORA. Yet, magically the same information and/or agreements (rather verbal or written) documents, that I was told "Do Not Exist" (contract/verbal or otherwise) suddenly appeared 3 months later and were signed retroactively by the City Manager, Doug Bach, Terri Ziegler and we can presume the City Attorney, Ken Moore (since this is a city contract that the city attorney either drafted or participated in, in some way). The people of KCK want this same deal. We

are also demanding that Doug Bach resign without benefit for failure to complete his duties. That Terry Ziegler be relieved of duty and remove himself from County property, specifically said Lake House. If this is not done within 14 days. We The People of KCK have every intent on demanding a Recall Election for the Mayor of KCK, who has made his disposition clear and stated for the record, that " If you elected me because you believed I would come up with a master plan that would save the county, you wasted your vote", Mr. Alvey also stated directly to me that he does not care about the constituents of KCK or their plight. Therefore he has no interest in fairness and Justice for this community. We The People WILL seek to remove any and all Commissioners who are NOT interested in what is best and fair the overall voter-ship of this community without prejudice. The Average WYCO resident makes less than 20k a year

The average income of a Wyandotte County resident is \$18,753 a year.

Chief of Police Terri Ziegler, Yearly Salary \$150,000.00+
(that = \$12,500.00+ per month)
YET...We The People are paying for him to live extravagantly FREE!
Kenneth J. Moore Salary \$150,000.00+
Fire Chief Michael Callahan \$140,000.00+
Doug Bach, Yearly Salary \$211,802.00+ and rising

How many Citizens need help to fix their "dilapidated old house"(as stated by Mayor Alvey describing the deal set up with Ziegler. While CODES bangs on the door? How many could use FREE taxpayer dollars to make repairs and get paid tax payer dollars TO DO IT, and pay your friends and family to help. WHILE Not paying ANY TAXES,insurance, PILOT, BPU, upkeep as well as paying getting paid MILEAGE...The work should have been left for bidding since it is Taxpayer property. Sweet deal!!! This would cure a LOT of BLIGHT in our community. We WANT THIS DEAL FOR THE CITIZENS who are fighting CODES everyday. Was this work done by UNION MEMBERS? Nope, his 75 year old Mother (no disrespect intended, in any way-but FOR REAL?) and 5 other people that he can't remember their names. Any subordinates that work for the KCKPD help with that work?
LORD HAVE MERCY!!! THIS IS UNREAL...but the Mayor is in on the deal. He thinks this is OK. NOT OK!!!

Is there NO HUMANITY in the heart of our Mayor, Commissioners? To ensure JUSTICE for the people of this community? WE FEED our community DAILY! Every penny counts, it means life and death. This is NOT A JOKE. You are killing people. THIS IS JUST WRONG, Unconscionable and UnGodly.

Terri Ziegler, Yearly Salary \$150,000.00+
Kenneth J. Moore Salary \$150,000.00+
& Fire Chief Michael Callahan \$140,000.00
Doug Bach, Yearly Salary \$211,802.00+
We are requesting that you respond immediately to this request. Thank you.

None of these employees have a contract to represent the people of WYCO. They all serve at the Leisure and consumption of Doug Bach. Who serves at the LEISURE of Mayor David Alvey and The Commissioners. There is no accountability. We demand written negotiated contracts for all incoming positions and the current positions approved by vote of the people of this community.

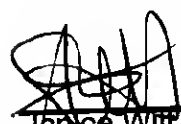
We Demand that Doug Bach be terminated and contract nullified. We demand that Terri Ziegler be terminated and The Lake House be returned to the people of this community and ALL fees repaid to the people of this community. We demand that Ken Moore be terminated and all management employees be required to have a contract with the people of the UG, we demand that Michael Callahan be terminated and that ALL incoming positions be under written contract approved by a rotating independent Community Board pulled from the (jury) voting registry, or by a vote of the commissioners.

We further request an audit be initiated by independent sources with full disclosure and accountability to the people of KCK regarding the finances and contracts of The UG.

A complete comparison and review of the efficacy of The Unified Government Unification Plan over all. Has it met its promised goals and promise to the people of KCK/WYCO and is there collusion between BPU and the UG that sets up unfair benefits to some in our community to the detriment, exclusion and expense of others. We are requesting investigations of BPU charging some and not charging others and the relationship with the UG and the PILOT. These deals provide unfair advantage to some and are burdensome to others with no recourse. We are asking that Mayor Alvey step down as Mayor as he appears ill prepared and non-concerned for the people of KCK. We believe that he is allowing the people of WyCo to run rough shod over the rights of the taxpaying citizen with no concern to which his position is by oath is designed to care for, we believe he has a loyalty to special interests that are a detriment to a healthy livable environment in our county. We ask that a special election be had to fill the position.



Dr. Ron Witt, pro se



Janice Witt, pro se
10940 Parallel Parkway K280
Kansas City, Kansas 66109
We The People of KCK
Demand our Rights be upheld
by those elected and appointed to
serve and watch over us without corruption
with Equity and Equality.

State of Kansas
County of Wyandotte



